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## Notice of Allowability

Application No.

09/390,141

Examiner

Chih-Ching Chow

Applicant(s)

SETOVICH ET AL.

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/17/05.
2. ☒ The allowed claim(s) is/are 4-47, 50 and 51 (renumbered as 1-46).
3. ☒ The drawings filed on 17 June 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 6/6/00, 6/11/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date fax in 08/05, 8/10
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
TUAN DAM  
SUPERVISORY PATENT EXAMINER

### **Examiner's Statement of Reasons for Allowance**

1. This action is responsive to Applicant's amendment after non-final filed on June 17, 2005.

#### ***Response to Amendment***

2. Applicant's amendment Drawings (Figures 1-9) dated 06/17/2005, responding to the 02/14/2005 Office Action provided in the objection of the Drawings. The examiner has reviewed the updated Drawings respectfully. The Drawings is accepted by the Examiner.

3. Applicant's amendment dated 06/17/2005, and 8/10/2005 responding to the 02/14/2005 Office action, and a telephone interview on 8/8/2005. The examiner has reviewed the amended claims, respectfully. These amendments serves the purpose of better convey the teaching. All the amended claims are accepted by the Examiner.

#### ***Examiner's Amendment***

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given based on the following: 1) a telephone interview with Mr. Michael J. Bolan, Registration Number 42,339, on August 05, 2005 for obviating any potential 101 issues and unnecessary since subject matter has been covered in other claims. The amendment is to cancel claims 48 and 49; 2) a faxed in proposed claim amendments by Mr. Michael J.

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Bolan, dated August 10, 2005 to add limitation to the E/C compiler for putting the claims in allowable condition (see attachment).

5. IN THE CLAIMS

Claims 1-6, and 39-50 have been amended as follows:

a. Claims 1-3 canceled.

b. Claim 4 (Currently Amended),

At line 4, after "compiler" insert product.

c. Claim 5 (Currently amended),

At line 4, after "compiler" insert product;

At line 7, after "combined", delete [[E/C code]] insert representation.

d. Claim 6 (Currently Amended),

At line 2, after "combined", delete [[E/C code]] insert representation.

e. Claim 39 (Currently Amended),

At line 1, after "combined" insert E/C (Esterel-C);

At line 2, after "compiling" delete [[a hybrid]], insert an E/C source;

At line 3, after "combined" insert E/C, after "compiler" insert product;

At line 5, after "parsing" delete [[a plurality of statements of said hybrid]],  
insert said plurality of E/C;

At line 6, insert statements into a combined representation;

At line 7, after "said" delete [[hybrid source code]] insert combined representation;

At line 8, after "statements" delete [[compilable by one said compiler]].

f. Claim 40 (Currently Amended),

At line 1, after "combined", insert E/C (Esterel-C);

At line 2, after "compiling", delete [[a hybrid]] insert an E/C source;

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At line 3, after “combined” insert E/C, after “compiler” insert product;

At line 5, after “plurality of” insert E/C source, after “statements” delete [[of said hybrid source code]];

At line 7, after “of sets of” delete [[hybrid]];

At line 9, after “of sets of” delete [[hybrid]].

g. Claim 41 (Currently Amended),

At line 2, after “of” delete [[hybrid]], insert E/C source;

At line 3, after “of” delete [[hybrid]], insert E/C.

h. Claim 42 (Currently Amended),

At line 1, after “splitting said” delete [[hybrid code]];

At line 2, beginning of the line, insert combined representation;

At line 4, after “said” delete [[hybrid code]], insert combined representation.

i. Claim 43 (Currently amended),

At line 2, beginning of the line, delete [[hybrid code]], insert combined representation;

At line 3, after “said” delete [[hybrid code]], insert combined representation.

j. Claim 44 (Currently Amended),

At line 1, after “splitting said” delete [[hybrid code]];

At line 2, beginning of the line, insert combined representation;

At line 3, after “said” delete [[hybrid code]], insert combined representation.

k. Claim 45 (Currently amended),

At line 1, after “combined” insert E/C (Esterel-C);

At line 4, after “said” delete [[combined code]], insert merged syntax.

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**l. Claim 46 (Currently amended),**

At line 1, after "combined" delete ~~[[hybrid]]~~, insert E/C (Esterel-C);

At line 3, after "syntax of" delete ~~[[hybrid]]~~, insert an E/C;

At line 5, after "said" delete ~~[[hybrid]]~~, insert E/C;

At line 10, after "said" delete ~~[[hybrid]]~~, insert E/C.

**m. Claim 47 (Currently amended),**

At line 2, after "combined" insert E/C (Esterel-C), after "said combined" insert E/C ;

At line 4, after "combined" insert E/C;

At line 6, after "combined" insert E/C;

At line 7, after "combined" insert E/C.

**n. Claims 48, 49 canceled;**

**o. Claim 50 (Currently amended),**

At line 3, after "combined" insert E/C (Esterel-C);

At line 4, after "compiler," insert said; after "combined" insert E/C;

At line 7, after "combined" insert E/C.

-- End --

***Examiner's Statement of Reason(s) for Allowance***

6. Claims 4-47, 50-51 are allowed.

7. The following is an examiner's statement of reasons for allowance:

The prior arts of record: Dean, teaches a language independent compiler, which performs compilation of programs independent of the language in which the program is written. However, the independence is limited in that the program to be compiled can only be written in any of the specific languages supported by the language independent compiler, and NOT a combination of those languages. Therefore, Dean's teaching, taken alone or in combination, does not teach a combined E/C (Esterel-C) language compiler product, which parses code into a combined representation, and splits the combined representation into sets of E/C code statements, and in such a manner as recited in the independent claims 4, 5, 39, 40, 45-47, 50, and 51.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Ching Chow whose telephone number is 571-272-3693. The examiner can normally be reached on 7:00am - 3:30pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chih-Ching Chow  
Examiner  
Art Unit 2192  
August 12, 2005

CC



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SUPERVISORY PATENT EXAMINER